

IN THE SENATE OF THE UNITED STATES.

MAY 3, 1858.—Ordered to be printed.

Mr. IVERSON made the following

REPORT.

[To accompany Bill S. 306.]

The Committee on Claims, to whom was referred the petition of Samuel H. Taylor, report :

The following facts appear from the papers in the case, viz: Mr. Taylor was employed as a laborer in the office of the Third Auditor, at \$50 per month. In June, 1853, it became necessary to hire a building, separate from the Treasury Department, for the use of a portion of that office, in which some twenty-four clerks were located. For this branch of the office Mr. Taylor was the sole messenger and laborer; and for a portion of the time, as stated by the principal clerk in charge, this office was kept open from 5 o'clock a. m. until 9 or 10 o'clock p. m., during all of which time the petitioner was in attendance as messenger and laborer.

The late Assistant Secretary of the Treasury states that the average number of clerks employed in this division was about twenty-four, and that Mr. Taylor was the only person employed in the capacity in question in said division from June, 1853, to June, 1856, and that his diligence and activity supplied the place of numbers, accomplishing (in his opinion) twice, if not thrice, as much labor as, in general, is performed by employes of his class.

The claimant deposes that his extra service extended "to six or seven hours every day, and that Colonel Burt, then Third Auditor, told him to continue the duty, and he would see him paid." It will be recollected that Colonel Burt soon after left the office, and subsequently died.

Whilst your committee would not recognize the right of officers of the government generally, and especially of the higher and more expensive grades, to compensation for extra services, or for services performed out of office hours, or agree to give them such extra pay, except in extraordinary cases, yet there may be cases, especially of subordinate and poorly paid employes, in which justice and equity would not only justify, but demand, additional compensation for unusual and severe labor and attention performed beyond the ordinary require-

ments of departmental regulations. We consider the case under consideration to be one of these.

It is in evidence that he performed the services both of a messenger and a laborer, and that he was kept constantly employed from early in the morning—sometimes as early as 5 a. m.—until late at night, say 10 o'clock; thus being engaged in close attention and hard labor from twelve to sixteen hours a day. Such extraordinary labor and attention, performed with the greatest fidelity, especially if it be true, as stated in the affidavit of the claimant, in which the committee place confidence, that the service was performed at the instance of the Auditor, and with the promise of compensation, deserves, in the opinion of the committee, a reasonable and just remuneration at the hands of the government. It is undoubtedly true that, without this extraordinary labor and attention of Mr. Taylor, it would have been necessary for the government to employ an additional messenger or laborer, who would have been entitled to pay. Your committee think it just and proper that Mr. Taylor should be allowed an additional compensation, and they have fixed upon fifteen dollars per month as a reasonable rate for the time he was so employed, and they report a bill accordingly.